

City of Harrington
AGENDA
City Council Workshop
City Hall, 106 Dorman Street
September 8, 2015
6:30 p.m.

Open Forum – 15 minutes prior to official meeting (6:15 p.m.) *(2 minute limit)*

The open forum is the time that the City extends the opportunity to the general public to share with us your questions, thoughts, comments, concerns, and complaints. Those wishing to step forward to take advantage of the open forum will be provided two (2) minutes. While City government is interested in taking appropriate action, no action can be taken while the City Council is not in session, and current law prohibits City Council from engaging in discussion of any comments made. Discussion of any item appearing on the agenda as a public hearing is prohibited during the open forum as an opportunity will be provided during consideration of that item.

Call to Order

- 1. Curfew**
- 2. Council chambers**
- 3. Ordinance 15-11 – Amending Chapter 440, Zoning, related to signage**
- 4. Library Fundraising Committee**
- 5. Mill Street parking on one side only**
- 6. Discussion of filling vacant full time position**
- 7. Update of railroad station**
- 5. City Council Comments**

Adjourn

Posted 08/31/2015
Kelly Blanchies
Clerk of Council

Note: 29 Del.C. §10004(e)(2). Agenda items as listed may not be considered in sequence. This agenda is subject to change to include additional items including Executive Sessions or the deletion of items including Executive Sessions, which arise at the time of the meeting. If there are questions or special accommodations are needed, please contact Kelly Blanchies at City Hall, 398-4476 (at least 72-hours in advance of the meeting for special accommodations).

Chapter 240 - JUVENILE CURFEW

Sec. 240-1. - Definitions.

When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular, and words in the singular number include the plural. The word "shall" is always mandatory and not merely directory. The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City means the City of Harrington, Delaware, with administrative offices at 106 Dorman Street, Harrington, Delaware.

Emergency means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

Establishment means any privately owned place of business operated for a profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

Juvenile or *minor* means any unemancipated person under the age of 17 or, in equivalent phrasing often herein employed, any person 16 or fewer years of age.

Operator means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

Parent means any person having legal custody of a juvenile:

- (1) As a natural or adoptive parent.
- (2) As a legal guardian.
- (3) As a person who stands in loco parentis.
- (4) As a person to whom legal custody has been given by court order.

Public place means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, common areas of schools, shopping centers, parking lots, parks, playgrounds, transportation facilities, theaters, restaurants, shops, bowling alleys, taverns, cafes, arcades, and similar areas that are open to the use of the public. As a type of public place, a street is a way or place, of whatever nature, open to the use of the public as a matter of right for purposes of vehicular travel or, in the case of a sidewalk thereof, for pedestrian travel. "Street" includes that legal right-of-way, including, but not limited to, the cartway of traffic lanes, the curb, the sidewalks, whether paved or unpaved, and any grass plots or other grounds found within the legal right-of-way of a street.

Remain means to stay behind, to tarry, and to stay unnecessarily in a public place, including the congregating of groups (or of interacting minors) totaling four or more persons in which any juvenile involved would not be using the streets for ordinary or serious purposes such as mere passage or going home, or to fail to leave the premises of an establishment when requested to do so by a police officer or the operator of an establishment. To implement this provision with additional precision and precaution, numerous exceptions are expressly defined in this chapter. More exceptions become available with a juvenile's increasing years and advancing maturity as appropriate in the interest of reasonable regulation.

Time of night means based upon the prevailing standard of time, whether Eastern standard time or Eastern daylight savings time, generally observed at that hour by the public in the city, prima facie the time then observed in the city administrative offices and police station.

Years of age means continues from one birthday, such as the 16th, to (but not including the day of) the next, such as the 17th birthday, making it clear that 16 or fewer years of age is herein treated as equivalent to the phrase "under 17 years of age." Similarly, for example, 11 or fewer years of age means "under 12 years of age."

Sec. 240-2. - Curfew established.

(a) *School year curfew.* It shall be unlawful for any person 16 years or fewer of age (under 17) to be or remain in or upon a public place within the City of Harrington during the Lake Forest School District designated school year for the period ending at 6:00 a.m. and beginning:

- (1) At 12:00 midnight on Friday and Saturday nights; and
- (2) At 11:00 p.m. on all other nights.

(b) *Summer curfew.* It shall be unlawful for any person 16 years or fewer of age (under 17) to be or remain in or upon a public place within the City of Harrington during the Lake Forest School District designated summer break for the period ending at 6:00 a.m. and beginning:

- (1) At 1:00 a.m. on Friday and Saturday nights; and
- (2) At 12:00 midnight on all other nights.

Sec. 240-3. - Exceptions.

(a) The following shall constitute valid exceptions to the operation of this chapter:

- (1) *Accompanied by parent.* When a juvenile is accompanied by a parent of such juvenile.
- (2) *Accompanied by authorized adult.* When a juvenile is accompanied by an adult authorized by a parent of such juvenile to take said parent's place in accompanying said juvenile for a designated period of time and purpose within a specified area.
- (3) *Errand directed, in writing, by parent.* When the juvenile is on an errand as directed by his/her parent, provided that such juvenile shall have on his/her person a written note, signed by the juvenile's parent, stating:
 - a. The date and time that the note was written (which shall not be more than 24 hours before the time of the errand);
 - b. The name of the juvenile;
 - c. The name, address, and telephone number of the parent; and
 - d. The specific errand directed by the parent.
- (4) *Emergency.* When a juvenile is assisting in an emergency, including, by way of example and not in limitation, responding as a member of a volunteer fire company to a fire company or paramedic call.
- (5) *First amendment rights.* When a juvenile is exercising first amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly, by first delivering, to the person designated by the city's chief of police to receive such information, a written communication, signed by the juvenile and countersigned, if practicable, by a parent of the juvenile, with his/her home address and telephone number, specifying when, where, and in what manner the juvenile will be in a public place during hours when this chapter is applicable to said minor in the exercise of a first amendment right specified in such communication.
- (6) *Reasonable necessity.* In case of reasonable necessity for the juvenile remaining in a public place, but only after the juvenile's parent has communicated to the chief of police or the person designated by the chief of police to receive such notifications the facts establishing the reasonable necessity relating to a specified public place at a designated time for a described purpose, including points of origin and destination. A copy of the communication, or of the police record thereof, duly certified by the chief of police to be correct, with an appropriate notation of the time it was received and of the names and addresses of the parent and juvenile, shall be admissible evidence.

- (7) *On own or neighbor's property.* When a juvenile is on the sidewalk or property where the juvenile resides, or on either side of or across the street from the place where the juvenile resides, and the adult owner or resident of that property has given permission for the juvenile to be there.
- (8) *Returning home within one hour of official activity.* When a juvenile is returning home from, and within one hour of, the termination or closing of an official school, religious, or other recreational activity supervised by adults, sponsored by the City of Harrington, a recognized charitable, benevolent, or civic association, or a similar entity that takes responsibility for the minor.
- (9) *Special permit (individual).* When authorized by special permit from the chief of police carried on the person of the juvenile thus authorized, as follows:
- a. When necessary nighttime activities of a juvenile may be inadequately provided for by other provisions of this chapter, then recourse may be had to the chief of police, either for a regulation as provided in subsection (a)(10) or for a special permit as the circumstances warrant.
 - b. Upon a finding of undue hardship and reasonable necessity for the use of a public place to the extent warranted by a written application signed by a juvenile and by a parent of the juvenile, if feasible, stating: the name, age, and address of the juvenile; the name, address, and telephone number of a parent thereof; the height, weight, sex, color of eyes and hair, and other physical characteristics of the juvenile; the necessity that requires the juvenile to remain upon a public place during the curfew hours otherwise applicable and the undue hardship that will result if such permit is not granted; the public place; and the beginning and ending of the period of time involved, by date and hour, the chief of police may grant a permit, in writing, for the juvenile's use of a public place at such hours as in the opinion of the chief of police may reasonably be necessary and consistent with the purposes of this chapter. In an emergency, this may be handled by prior telephone or other effective communication, with a corresponding record being made contemporaneously by the chief of police or by the person designated by the chief of police to act on his/her behalf in an emergency at the police station.
- (10) *Special regulation (group).* When authorized by regulation issued by the chief of police in other similar cases of reasonable necessity, similarly handled but adapted to reasonably necessary nighttime activities of more juveniles than can readily be dealt with on an individual special permit basis, but only where such juveniles will be under the active supervision of adults responsible for such juveniles. Normally such regulation by the chief of police permitting use of public places should be issued sufficiently in advance to permit appropriate publicity through news media and through other agencies, such as the schools, and shall define the activity, the scope of the use of the public places permitted, the period of time involved, not to extend more than one hour beyond the time for

termination of the activity, and the reason for finding that the regulation is reasonably necessary and is consistent with the purposes of this chapter.

(11) *Employment necessity.* When the juvenile is legally employed, going to or returning home from employment, and carries a certified card of employment, renewable each calendar month when the current facts so warrant, dated or reissued not more than 45 days previously, signed by the parent and employer and briefly identifying the juvenile, the addresses and telephone numbers of the juvenile's home and place of employment, and the juvenile's hours of employment. The city shall prepare a form to be used by employers for purposes of this subsection.

(12) *Interstate or intrastate travel.* When the juvenile is, with parental consent, engaged in normal interstate or intrastate travel through the city or originating or terminating in the city.

(13) *Married.* When the juvenile is married or has been married pursuant to state law.

(14) *Operator of establishment.* In the case of an operator of an establishment, when the operator has notified the police that a juvenile was present on the premises of the establishment during curfew hours and refused to leave.

(b) *Continuing consideration of exceptions.* Each of the foregoing exceptions and their several limitations, such as provisions for notification, are severable, as hereinafter provided but here reemphasized, and will be considered by council when warranted by future experience.

Sec. 240-4. - Parental responsibility.

(a) The foregoing exceptions to the operation of this chapter shall act only to create a waiver of enforcement and affirmative defense(s) to such enforcement. By authorizing such exceptions, neither the city nor any member of the police department shall assume any affirmative obligation or duty to supervise the well-being of any juvenile acting pursuant to such authorized exception.

(b) It shall be unlawful for a parent having legal custody of a juvenile knowingly to permit or by inefficient control to allow the juvenile to remain in any city public place under circumstances not constituting an exception to, or otherwise beyond the scope of, this chapter. The term "knowingly" includes knowledge that a parent should reasonably be expected to have concerning the whereabouts of a juvenile in that parent's legal custody. This requirement is intended to hold a neglectful or careless parent up to a reasonable community standard of parental responsibility through an objective test. It shall, therefore, be no defense that a parent was completely indifferent to the activities or conduct or whereabouts of such juvenile.

- (c) It shall be unlawful for any parent to knowingly (as defined above) provide any false authorization, information or certification, written or verbal, to the Harrington Police Department in order to obtain an exception to the operation of this chapter under section 240-3 hereof.

Sec. 240-5. - Operator responsibility.

It shall be unlawful for any operator of an establishment to knowingly permit a juvenile to remain at the establishment under circumstances not constituting an exception to, or otherwise beyond the scope of, this chapter. The term "knowingly" includes knowledge that an operator should reasonably be expected to have concerning the patrons of the establishment. The standard for "knowingly" shall be applied through an objective test: whether a reasonable person in the operator's position should have known that the patron was a juvenile in violation of this chapter.

Sec. 240-6. - Enforcement.

- (a) If a police officer reasonably believes that a juvenile is in a public place in violation of this chapter, the officer shall notify the juvenile that he/she is in violation of this chapter and shall require the juvenile to provide his/her name, address, and telephone number and how to contact his/her parent or guardian. In determining the age of the juvenile and in the absence of convincing evidence, such as a birth certificate, a police officer shall, in the first instance of violation of the chapter, use his/her best judgment in determining age.
- (b) The police officer shall issue the juvenile a written warning that the juvenile is in violation of this chapter and order the juvenile to go promptly home. The chief of police shall send the parent or guardian of the juvenile written notice of the violation pursuant to subsection (f) hereof.
- (c) Police procedures shall constantly be refined in the light of experience and may provide that the police officer may deliver to a parent or guardian thereof a juvenile under appropriate circumstances; for example, a juvenile of tender age, near home, whose identity and address may readily be ascertained or are known.
- (d) Notwithstanding subsection (b) of this section, when a juvenile has received one previous written warning for violation of this chapter or a police officer has reasonable grounds to believe that the juvenile has engaged in delinquent conduct, the procedure shall then be to take the juvenile to the police station where a parent or guardian shall immediately be notified to come for the juvenile, whereupon the parent or guardian and the juvenile shall be questioned. This is intended to permit ascertainment, under constitutional safeguards, of relevant facts and to centralize responsibility in the person designated there and then on duty for accurate, effective, fair, impartial, and uniform enforcement and recording, thus making available experienced personnel and access to information and records.

- (e) When a parent or guardian, immediately called, has come to take charge of the juvenile and the appropriate information has been recorded, the juvenile shall be released to the custody of such parent. If the parent cannot be located or fails to take charge of the juvenile, then the juvenile shall be released to the juvenile authorities, except to the extent that, in accordance with police regulations approved in advance by juvenile authorities, the juvenile may temporarily be entrusted to an adult, neighbor, or other person who will on behalf of a parent or guardian assume the responsibility of caring for the juvenile pending the availability or arrival of a parent or guardian.
- (f) In the case of a first violation of this chapter by a juvenile, the chief of police shall, by certified mail, send to a parent or guardian written notice of the violation, with a warning that any subsequent violation will result in full enforcement of this chapter, including enforcement of parental responsibility and of applicable penalties.
- (g) For the first violation of this chapter by an operator of an establishment who permits a juvenile to remain on the premises, a police officer shall issue a written notice of the violation with a warning that any subsequent violation will result in full enforcement of the chapter, including enforcement of operator responsibility and of applicable penalties.
- (h) In any event the police officer shall, within 24 hours, file a written report with the chief of police or shall participate, to the extent of the information for which he/she is responsible, in the preparation of a report on the curfew violation. It is not the intention of this section to require extensive reports that will prevent police officers from performing their primary police duties. The reports shall be as simple as is reasonably possible and may be completed by police department personnel other than sworn police officers.

Sec. 240-7. - Violations and penalties.

(a) *Parents.*

- (1) *Offenses by the parent.* If, after the warning notice pursuant to section 240-6 of a first violation by a juvenile, a parent violates section 240-4 in connection with a second violation by the juvenile), this shall be treated as a first offense by the parent. For offenses by a parent, the fines shall be as provided for in Chapter 180—Fees and Fines. Any court of competent jurisdiction, upon finding a parent guilty, shall sentence the parent to pay this fine and the cost of prosecution.
- (2) *Personnel costs.* The parent or legal guardian having custody of a juvenile subject to this section shall be liable for all costs incurred by the City of Harrington for providing personnel to remain in the company of a juvenile who has been detained as a curfew violator if the parent or guardian does not pick up the juvenile within one hour after receiving notice from the city that the city is

detaining the juvenile for a curfew violation. The amount to be paid by the parent or guardian shall be as provided for in Chapter 180—Fees and Fines.

- (3) The parent or legal guardian having custody of a juvenile subject to this section shall be liable for any fine or condition of restitution or reparation imposed by a court upon a curfew violator, provided that the curfew violator has not paid the fine or made restitution or reparation within the time ordered by the court and further provided that the parent or legal guardian has been made a party defendant in all enforcement proceedings against the curfew violator and shall be served with all citations, summons, complaints, notices, and other documents required to be served on the curfew violator defendant.
- (b) *Juveniles.* Any juvenile who shall violate any of the provisions of this chapter more than three times shall be reported by the chief of police to the juvenile authorities as a juvenile in need of supervision, and the chief of police may proceed to file such charges with the courts as he/she may deem appropriate.
- (c) *Operators.* If, after the warning notice pursuant to section 240-6 of a violation of this chapter, an operator of an establishment violates section 240-5 a second time, this shall be treated as a first offense by the operator. For offenses by an operator, the fines shall be as provided for in Chapter 180—Fees and Fines.
- (d) *False certification.* Any parent convicted of knowingly providing any false authorization, information or certification, written or verbal, to the Harrington police department in violation of section 240-4(c) shall pay a fine as provided for in Chapter 180—Fees and Fines.

Sec. 240-8. - Advisory opinions.

The city manager, after consultation with the city solicitor, is hereby authorized to give advisory opinions, in writing, which shall be binding and shall be adhered to by the police until the chapter is amended in such respect, interpreting terms, phrases, parts, or any provisions. Normally such advisory opinions shall be in response to good faith, signed letters addressed to the city manager or to a member of the city council questioning this chapter as ambiguous, having a potentially chilling effect on constitutional rights specifically invoked or otherwise invalid, in all three categories with respect to proposed conduct definitely described. This administrative remedy must be exhausted prior to presenting to any court a question in any of the three categories. The city council does not intend a result through the enforcement of this chapter that is absurd, impossible of execution, or unreasonable. Council intends that the chapter be held inapplicable in such cases if anywhere its application would be unconstitutional under the Constitution of the State of Delaware or the Constitution of the United States of America.

Sec. 240-9. - Continuing evaluation.

The city council shall continue its evaluation and updating of this chapter through methods including but not limited to the following:

- (1) Within six months after the implementation of this chapter, the chief of police shall provide the city council with a report concerning the effect of this chapter on crimes committed by and against minors and of the number of warnings issued and arrests of minors, parents, and operators hereunder and such other information as council may request.
- (2) On a regular basis, the city council shall receive informal reports of all exceptional cases hereunder of reasonable necessity, the notices of school and other activities, the special permits and the regulations authorized above, and the advisory opinions for consideration by the council in further updating and continuing evaluation of this chapter.

Sec. 240-10. - Notice.

Notice of the existence of this chapter and of the curfew regulations established by it shall be posted in, on, or about such public or quasi-public places as may be determined by the city manager or the police department in order that the public may be constantly informed of the existence of this chapter and its regulations.

City of Harrington
Juvenile Curfew Ordinance
Employment Certificate

Pursuant to section 240-3(a)(11) of the City of Harrington Juvenile Curfew Ordinance, this shall certify that:

Juvenile's name

Address

Address

is currently employed by:

Employer's name

Employer's address

Employer's address

Employer's telephone no.

and that he/she is scheduled to work during the following hours:

Sun. _____	Mon. _____	Tue. _____	Wed. _____
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Thur. _____	Fri. _____	Sat. _____	
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Parent's name (print)

_____	_____
Parent's signature	Employer's signature

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Council chambers and Library Fundraising Committee will be discussed at the meeting. No information included in packets.

**CITY OF HARRINGTON
ORDINANCE NO. 15-11**

AN ORDINANCE AMENDING CHAPTER 440, ZONING, OF THE CODE OF THE CITY OF HARRINGTON TO AMEND THE SIGN ARTICLE AND REQUIRED DOCUMENTS FOR AN APPLICATION FOR A ZONING COMPLIANCE CERTIFICATE FOR SIGNAGE

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HARRINGTON IN COUNCIL MET:

Section 1. That § 440-179 F shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

F. See § 440-189, Permitted and prohibited signs in all zones.

Section 2. That § 440-180 B shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

B. Signs for a multi-tenant office development or professional building, including a directory of tenants engaged in professional and/or commercial activity on the premises. Not more than two (2) such signs shall be permitted on each separate street frontage on premises held in single and separate ownership; the aggregate area of all such sign(s) shall not exceed one hundred (100) square feet for all frontages combined. In addition, it shall be further provided that one (1) sign, the area of which shall not exceed one hundred (100) square feet, shall be permitted for each means of entrance to the premises.

Section 3. That § 440-180 C shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

C. Signs for permitted uses within the Neighborhood and Central Commercial Zones other than a multi-tenant office development or professional building provided that the aggregate area of any such sign(s) shall not exceed seventy-five (75) square feet and further provided that not more than two (2) such signs shall be permitted.

Section 4. That § 440-181 A shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

A. Any signs permitted in a Residential Zone or Neighborhood/Central Commercial Zones are permitted in Service Commercial, Manufacturing, and Industrial Park Manufacturing Zones.

Section 5. That § 440-181 B shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- B. Signs for permitted uses within the Neighborhood Commercial, Central Commercial, Service Commercial, Manufacturing, and Industrial Park Manufacturing Zones other than a multi-tenant office development or professional building provided that the aggregate area of any such sign(s) shall not exceed one hundred fifty-three (153) square feet and further provided that not more than three (3) such signs shall be permitted.

Section 6. That § 440-189 A (14) (a) shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- (a) For the purposes of this subsection, civic event signs shall include sign banners, balloons, flags, streamers, and pennants. Vehicle-mounted signs and portable signs are prohibited, except as may otherwise be provided in § 440-189 A (10).

Section 7. That § 440-189 B (15) shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- (15) Portable signs designed to be transported, including, but not limited to, signs designed to be transported by means of wheels, signs converted to A-frames or T-frames, sandwich boards, and umbrellas used for advertising, except those permitted in § 440-189 A (10) and (16).

Section 8. That § 440-299 C shall be amended by deleting the existing subsection and substituting in lieu thereof the following:

- C. Required documents for signage. Plans for zoning compliance review shall comply with all existing laws, regulations, and ordinances governing approval and provide sufficiently accurate dimensions and construction specifications to provide the data necessary for the issuance of construction permits. Plans must be legible.

- (1) All signs are required to provide a detailed sign plan to include the following:

(a) Sign image/picture with dimensions (proposed and all existing);

(b) Provided in square feet;

(c) Existing individual signage;

(d) Existing total aggregate square feet of all signage;

- (e) Proposed individual signage square feet;
 - (f) Proposed total aggregate square feet of all signage;
 - (g) Type of signage (proposed/all existing); see Article XIV, Signs;
 - (h) Specify single or double sided (proposed and all existing).
- (2) All freestanding signs shall be required to submit a plot plan along with a detailed sign plan. The plot plan shall meet the requirements as to content and organization as may be established by the City Manager. The plot plan shall show the North point, the date, and the following:
- (a) All existing property lines with dimensions;
 - (b) All setbacks lines;
 - (c) All existing structures (dimensions, total square footage, distance from all property lines);
 - (d) All existing and proposed driveway/parking spaces/interior roadway areas, if applicable;
 - (e) Adjacent street names and alleys;
 - (f) Plot plan note specifying dates for submittals and revisions;
 - (g) Other information as may be required by the City Manager or City Engineer to adequately review the plan;
 - (h) Sanitary sewer, public water, and storm drain locations, including the location of all lines and tie-ins;
 - (i) All existing and proposed easements and rights-of-way, if applicable.

Repealer. All ordinances and parts of ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

Effective Date. The Clerk of Council shall certify to the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect and be in force from and after its approval by Council.

SO ORDAINED by the majority of Council Members present at a regular session of Harrington City Council, to be effective upon signing.

Anthony R. Moyer, Mayor

Attest: _____
Kelly Blanchies, Clerk of Council

Date of Adoption: _____

SYNOPSIS

This Ordinance amends Chapter 440 to clarify sign regulations, correct references, and clarify requirements for Zoning Compliance Certificates for signage projects.

First Reading: _____

Public Hearing: _____

Second Reading: _____



ACTION FORM

6

PROCEEDING Council Meeting	
DEPARTMENT OF ORIGIN City Hall	DATE SUBMITTED: 09/08/15
PREPARED BY: Terry Tieman/Norman Barlow	
SUBJECT: Filling Full-time vacancy created by a resignation	
REFERENCE:	
RELATED PROJECT:	
REVIEWED BY:	
EXHIBITS:	
EXPENDITURE REQUIRED: None	AMOUNT BUDGETED: \$35,058
FUNDING SOURCE (Dept./Page in CIP & Budget): Current budget	
TIME TIMETABLE:	
RECOMMENDED ACTION: Approve the Part-time position of Administrative Assistant be made full-time (39 hours/week to 40 hours/week), approve 4 hours a week for Police accreditation clerk, approve 20 hour/week employee for Public Works.	

BACKGROUND AND ANALYSIS

A full time position was approved in the FY 2016. This position was shared between City Hall and the Police Department. The person filling this position has tendered their resignation, and their final day of work will be September 11, 2015.

In order to fill this position, we believe that a current part-time administrative assistant can be made full time. A part-time public works laborer and a part-time (4 hours/wk) accreditation clerk. Please see the salary adjustments below. The table also accounts for the additional health care costs of the new code enforcement person. The last code enforcement officer did not require insurance from the City and neither does the administrative assistant being made full time.

		Salaries	Fica	WC	Pension	SUI	Health Ins	DELTA Dental KCL/Vision	Totals
Less: Employee Resign 40 Hrs	11.0741	23,034.13	2,643.17	125.56	1,430.42	388.50	6,991.02	445.59	35,058.38
Add: Additional 11 hrs	13.6039	7,781.43	595.28	28.28	483.23	388.50	0.00	0.00	9,276.71
Add: Accreditation Clerk 4 Hrs	11.0741	2,303.41	176.21	8.37		6.05			2,494.04
Add: Public Works Asst 20 hrs	12.0800	12,563.20	961.08	730.10	780.17	388.50			15,423.06
Add: Code Enforcment Insurance							6,991.02		6,991.02
		386.08	910.59	(641.19)	167.02	(394.55)	-	445.59	873.55

By filling the vacancy in this way, the City will save approximately \$873.

The administrative assistant will be spending two mornings per week assisting the Public Works division with administrative and clerical duties. The part-time laborer in Public Works will be used for building maintenance projects, beautification projects and general assistance.

This assistance is needed due to implementation of the work order system and the additional work load of the

Public Works department. Public works has additional responsibilities since taking over the maintenance and repair of the pump stations in 2012 and meter reading, repairs, and maintenance in 2013. Additionally, the poor condition of the city's water and sewer infrastructure makes it difficult to efficiently use time because of the frequent repairs needed to the lines. Even though projects are scheduled, a water or sewer issue can mean that those plans are interrupted for a day or two.

The Police Department has asked for four hours per week for accreditation work. The individual who is resigning her full-time position will be retained for the accreditation work. The clerk has agreed to continue part-time employment with Harrington for the duration of the accreditation assignment. This will keep the process moving without having to train another individual.

Kelly Blanchies

From: Teresa Tieman
Sent: Wednesday, August 26, 2015 8:22 AM
To: Kelly Blanchies
Subject: FW: Harrington Railroad Yard Maintenance Issue

From: Sexton, Wade R. [mailto:Wade.Sexton@nscorp.com]
Sent: Tuesday, August 25, 2015 11:09 PM
To: Teresa Tieman <ttieman@cityofharrington.com>
Cc: Carl Klotz <cklotz@cityofharrington.com>
Subject: RE: Harrington Railroad Yard Maintenance Issue

The Bids are in for the painting of Harrington Station and waiting on approval. I will let you know as soon as I get a response from Division.

Wade R Sexton
Trainmaster
101 Delaware Ave.
Harrington, DE. 19952
CELL 717-756-9503
FAX 757-668-1316

From: Teresa Tieman [mailto:ttieman@cityofharrington.com]
Sent: Friday, February 27, 2015 8:47 AM
To: Sexton, Wade R.
Cc: Carl Klotz
Subject: [EXTERNAL] RE: Harrington Railroad Yard Maintenance Issue

Good morning Wade,

Thank you so much for the update. I will forward this information on to the Mayor and Council. It will be so good to see the station painted.

Thank you for all your efforts. It is greatly appreciated.

From: Sexton, Wade R. [mailto:Wade.Sexton@nscorp.com]
Sent: Friday, February 27, 2015 6:49 AM
To: Teresa Tieman
Subject: RE: Harrington Railroad Yard Maintenance Issue

Good morning Terry,

I do have plans on submitting 3 bids to upper management for the painting of the Harrington yard office. I am hopeful that this project will be completed between spring and mid summer. I have personally spoken with the code enforcement officer and relayed this information to him. I will keep your contact information and notify you as soon as I have submitted the bids to the Harrisburg Division for approval. I will also notify you as soon as approval has been received. I look forward to keeping you updated and improving the look of the Harrington station.

respectfully,

Wade R Sexton
Trainmaster
101 Delaware Ave.
Harrington, DE. 19952
CELL 717-756-9503
FAX 757-668-1316

From: Teresa Tieman [<mailto:ttieman@cityofharrington.com>]
Sent: Wednesday, February 25, 2015 3:38 PM
To: Sexton, Wade R.
Subject: [EXTERNAL] Harrington Railroad Yard Maintenance Issue

Good afternoon Wade,

As you may be aware, there has been recent discussions regarding the maintenance and upkeep of the building and property located at 101 Delaware Avenue, Harrington. The City had been working with the previous Yard Supervisor, John Barrett for approximately two years. Our Mayor, Tony Moyer had several conversation with John. John Barrett agreed with Mayor Moyer's concerns and indicated that he would pass the concerns up the chain. John indicated to Mayor Moyer that there were not funds available for the project.

On May 21, 2014, our code enforcement officer sent a violation notice to Norfolk Southern Railway, 110 Franklin Road SE, Roanoke, VA 24042. No response has been received to date.

On June 23, 2014, Norfolk Southern brought a safety train to Harrington and conducted a goodwill ride. At this time, Mayor Moyer had another discussion with senior management members present and they agreed that the station in Harrington was probably one of the worst looking of all their stations. They agreed that due to the station's prominent location, it should be painted and something should be done with the surrounding yard. Mayor Moyer offered them assistance in researching historical paint colors and pictures of past yards.

I was wondering, if you would be so kind as to provide me with an update on any efforts to improve the appearance and maintenance of the property? The City of Harrington wants to be good neighbors with Norfolk Southern and would be happy to assist in any way possible. The railroad is part of Harrington's heritage and we are proud of it, however, It is very disheartening to see the station and the yard in such ill repair.

I would be extremely grateful for any information or assistance you could provide toward the resolution of this matter. Please do not hesitate to contact me, if you would like to discuss this further.